

**STORZER & ASSOCIATES, P.C**  
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Christopher K. Costa (#023251933)  
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*Counsel for Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

BAIS BRUCHA INC. and RABBI  
MORDECHAI SEKULA,  
Plaintiffs,

v.

TOWNSHIP OF TOMS RIVER, NEW  
JERSEY, and TOWNSHIP OF TOMS  
RIVER ZONING BOARD OF  
ADJUSTMENT,

Defendants.

Case: 3:21-cv-03239-ZNQ-RLS

**PLAINTIFFS' MOTION TO COMPEL  
DISCOVERY**

**Returnable (November 6, 2023)**

**PLEASE TAKE NOTICE** that Plaintiffs, Bais Brucha Inc. and Rabbi Mordechai Sekula, move this Honorable Court pursuant to Fed. R. Civ. P. 37(a)(1) and L. Civ. R. 37.1, for an order compelling discovery from the Defendants as follows:

1. Compelling Defendant, Township of Toms River, New Jersey, to provide more specific and complete answers to the following interrogatories:
  - a. Plaintiffs' First Set of Interrogatories Nos. 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 25, 26, 27, 28.

2. Compelling Defendant, Township of Toms River Zoning Board of Adjustment, to provide more specific and complete answers to the following interrogatories:
  - a. Plaintiffs' First Set of Interrogatories Nos. 4, 5, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 21.
3. Compelling Defendant, Township of Toms River, New Jersey, to provide more specific and complete responses to the following requests for documents:
  - a. Plaintiffs' First Set of Request to Produce Documents Nos. 5, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 25, 26, 30, 34, 35, 36, 37, 52, 53, 54, 55, 59, 60;
  - b. Plaintiffs' Second Set of Requests to Produce Documents Nos. 1, 2, 3, 4;
  - c. Plaintiffs' Third Set of Requests to Produce Documents Nos. 1, 2, 3, 5.
4. Compelling Defendant, Township of Toms River Zoning Board of Adjustment, to provide more specific and complete responses to the following requests for documents:
  - a. Plaintiffs' First Set of Request to Produce Documents Nos. 1, 2, 17, 30, 31, 32, 33.
5. Compelling Defendants to comply with the Court's Amended Scheduling Order (ECF No. 92) as follows:
  - a. Produce a Privilege Log;
  - b. Provide Plaintiffs with true and correct complete copies of their insurance policies;
  - c. Provide Plaintiffs with complete Certifications from their Electronic Discovery Provider;
  - d. Complete Document Production to the Plaintiffs including, but not limited to, production of documents relating to comparators.

6. Compelling Defendants to provide the information sought within ten (10) days of the Court's Order.

**PLEASE TAKE FURTHER NOTICE** that in support of the within application, Plaintiffs shall rely upon the Declaration of Melissa A. Bright, Esq. and Memorandum submitted with this Motion.

A proposed form of Order is attached.

Dated: October 10, 2023

**STORZER & ASSOCIATES, P.C.**

/s/ Sieglinde K. Rath

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**CERTIFICATION OF SERVICE**

I hereby certify that on October 10, 2023, a copy of the foregoing together with the supporting Memorandum, Declaration of Melissa A. Bright dated October 10, 2023 together with exhibits and proposed form of Order were filed electronically and notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

*/s/ Sieglinde K. Rath*  
Sieglinde K. Rath